2536

RIGHTS OF THE INDIANS.

AGREEABLY to public notice, a meeting of gentlemen from all parts of the Commonwealth was convened in the Hall of the House of Representatives, BOSTON, Jan. 21, 1830, to consider the present relations between the government of the United States and the Indians.

The HON. SAMUEL C. ALLEN,

of Franklin County, was called to the chair; and HENRY HILL, Esq. and Dr. EDWARD REYNOLDS, of Boston, were appointed Secretaries.

After some prefatory remarks, SAMUEL HOAR, Esq. of Concord, offered the following Resolutions, which, (after several gentlemen had spoken in favor of them,) were adopted without a dissenting voice.

1. *RESOLVED,*

That the present crisis in the relations, subsisting between the government of the United States and the Indian tribes within our national limits, is such as to justify and demand a public expression of their feelings, on the part of all friends of humanity, justice, and their country.

2. *RESOLVED,*

That, in the opinion of this meeting, there is no political subject whatever, in which the citizens of this republic have a more vital interest, than the preservation of our national character unsullied by any just imputation of bad faith; and that a quick sensibility on this subject should be cherished, especially at a time, when serious apprehensions are entertained that our nation is about to incur the dishonor and guilt of violating treaties.

3. *RESOLVED,*

That we consider Indian nations, residing upon lands derived from their ancestors by immemorial occupancy, and never forfeited nor alienated, as having a perfect right, antecedently to any acknowledgment or guaranty on the part of the whites, to retain possession of those lands, and to exclude all other persons; except so far as this perfect right has been modified by compacts, to which the Indians were a party.

4. *RESOLVED,*

That, as this right of Indians to the continued possession of their country has been implicitly acknowledged in treaties made between the whites and the Indians, from the arrival of the first English colonists in this country to the present day; and that, as treaties ratified by the President and Senate of the United States expressly guaranty to the Cherokees forever all their lands not previously ceded to the United States;—it is evident that the lands now in the peaceable occupancy of the Cherokees cannot be taken from them without their consent, unless by a violation of good faith.

5. *RESOLVED,*

That, as the Indian nations were originally independent communities, and exercised full sovereignty over their country, they have a right to retain their ancient form of government, or to alter it according to their pleasure, and to exercise entire sovereignty over their country; except so far as they have consented to a qualified dependence, by treaties with the United States.

6. *RESOLVED,*

That, as the United States have, in very numerous instances, acknowledged the national character of the Cherokees and their right of self-government, the extension of the laws of the United States, or of the several States, over the Cherokees without their own consent, would involve the double criminality of usurpation and disregard of treaties.

7. *RESOLVED,*

That we should regard it as a great calamity, if, in a plain case, the government of the United States should forfeit the solemn pledges, which have been so often given to a weak and dependent ally; inasmuch as such a course would probably bring upon us the reproaches of mankind, and would certainly expose us to the judgments of heaven.

8. *RESOLVED,*

That a Committee of eight be nominated by the Chair to prepare a Memorial to Congress, in accordance with the principles of the preceding resolutions; which Memorial will be

reported by them, as soon as convenient, at an adjourned meeting.

9. *RESOLVED,*

That the same Committee be requested to act as a Committee of Correspondence, with a view to call the immediate attention of the people, in all parts of the Commonwealth, to this immensely important subject.

The following gentlemen were appointed members of the Committee, mentioned in the eighth resolution; viz. WILLIAM B. CALHOUN, of Springfield, LEVERETT SALTONSTALL and RUFUS CHOATE, of Salem, SAMUEL HOAR, of Concord, SAMUEL M. WORCESTER, of Amherst, and CHARLES G. LORING, EDWARD REYNOLDS, and JEREMIAH EVARTS, of Boston.

The meeting was then adjourned, to meet again at the call of the Committee.

The adjourned meeting was convened by public notice, at the Representatives' Hall of the State House, on Monday evening, February 8th.

After the Chairman and Secretaries of the former meeting had taken their seats, and the resolutions of that meeting had been read, Mr. CALHOUN, as Chairman of the Committee, offered the following Memorial, which had been prepared, in pursuance of instructions given to the Committee.

MEMORIAL.

To the Senate and House of Representatives of the United States in Congress assembled.

THE memorial of Citizens of Massachusetts, residing in all parts of the Commonwealth, convened by public notice, and afterwards by adjournment, in the Hall of the House of Representatives in Boston, respectfully represents;

That your Memorialists feel impelled, by the most solemn and weighty considerations, to address the National Legislature, on a subject of general interest, which seems likely to affect the character of our country and its government, not only during the present generation, but through all future time. We refer to the claims of the Cherokee Indians, and of other Indian

nations in a similar condition, and to the guaranty, which these nations have received from the government of the United States.

Your Memorialists perceive, that the interposition of citizens remote from the Indian territory is a subject of complaint. It must be obvious, however, that the people, in every part of the Union, may properly feel great solicitude respecting the preservation of our national character, and the performance of the duties of justice and humanity to the weak and defenceless tribes upon our borders. These are topics of general concern, and should be wholly separated from questions of local interest, and everchanging political parties. We stand on the broad ground of principle; and would act from an unbiassed regard to the national welfare and the happiness of mankind; disclaiming all intention of interfering with matters, which do not properly belong to us, and all prejudice against the rights or interest of any State, or States, in the Union.

The territory of the four southwestern tribes of Indians lies within what are called the chartered limits of Georgia, Alabama, Mississippi, Tennessee, and North Carolina. The portion in the two States last named, is small. For the sake of distinctness, and to avoid unnecessary prolixity, your Memorialists would ask the attention of Congress to the case of the Cherokees especially; though the same principles, with immaterial variations, will apply to other Indian communities.

The Cherokee nation of Indians is a distinct community yet remaining of the numerous original inhabitants of this continent. At the first settlement of the Southern States, these natives were found in possession of the lands, which they now occupy. We need not here agitate the question, whether civilized men may appropriate to themselves a newly discovered country, unoccupied except by the occasional visits of migratory hunters. It does not appear, that the Cherokees were ever a migratory people. They doubtless made excursions for the purposes of hunting; but they always had a home, and that home, from time immemorial, has been the same which they now possess. From their own country they excluded all persons but themselves. In this situation were they found by the first settlers of Georgia.

The immemorial occupancy, which has been thus briefly described, gives the Cherokees, as your Memorialists conceive, a

perfect right to a continued occupancy of their country, so long as they please. In other words, it is a perfect title, and the best of titles, to their country, involving both the right of continued occupancy and of self government.

Though the claim, as a consequence of discovery by Europeans, were much stronger and clearer than it is, still the assertion of such a claim must be precluded, whenever the discoverers shall have agreed upon a line of demarkation between themselves and the original inhabitants. Such a line was in fact agreed upon, between the first settlers of Georgia, and the natives; and from that moment the whites were bound not to trespass upon the territory beyond the line.

During the half century that elapsed between the settlement of Georgia and the peace of 1783, the colony of Georgia, with the consent and approbation of the English government, entered into successive treaties with the Creeks and Cherokees, in all which negotiations, the whites and the Indians were regarded as equally free and independent. The most common subjects of these treaties, were the purchase of land, the establishment of limits, the reparation of injuries committed in open war, and the restoration of prisoners captured during previous hostilities. In all these transactions, the Indians were called nations. Their government, vested in chiefs, was considered as being legitimate, and as always in existence; and their territorial rights were expressly and solemnly recognized.

At the close of the revolutionary war, Georgia, as an independent State, entered into new treaties with the Creeks and Cherokees, by which territorial limits were again fixed; and the fixing of such limits seems to your Memorialists an admission, that each party had no claim to land, thus left in the possession of the other.

In the year 1785, the Confederated States of North America made a treaty with the Cherokees, agreeing upon the national limits, exchanging prisoners of war, providing for the apprehension and punishment of criminals, and making such other arrangements, as are usual in treaties of peace, between nations of Europe. It is a fact worthy of notice, that, in this first treaty made between the United States, and the Cherokees, the latter are not only called, and considered as being, *a nation;* but they

actually exercise every one of the powers, which we had enumerated, in the declaration of independence, as the highest attributes of national sovereignty.

By the federal constitution, the treaty-making power was vested in the President and Senate of the United States, and the several States were inhibited from exercising it. Soon after the constitution went into operation, the first President of the United States with the aid of his very able cabinet, and with the sanction of a Senate, more than one third of whose members had been members of the Convention that formed the Constitution, laid the foundation of our present relations with the Indians. In no part of his administration are the proofs of his wisdom and circumspection more apparent. The Indian communities, residing within the limits of the peace of 1783, were implicitly admitted to be distinct communities, and the territory of the Indians was described as "*belonging to them*," and as not being under the jurisdiction of the legislative or judicial functions of the United States, or of the several States. The Indians placed themselves under the protection of the United States, and became dependent allies. They consented that the United States should regulate their trade, and engaged that they would not make treaties with foreign powers, nor with separate States of the Union, nor with individuals of any State. They ceded a portion of their territory, and received a compensation for it. All these grants, on the part of the Indians, were manifestly for their own advantage, as well as for the advantage of the United States; and they were doubtless urged to make them, and did make them, from considerations of mutual benefit. The United States, on their part, solemnly guaranteed to the Indian nations all their lands, not ceded by the same instruments; and engaged to punish whites, who should disturb the peace of the Indians. All animosities were to cease, and, in the language of the treaties, these compacts were to be executed "*with all good faith and sincerity.*"

The treaties were in fact thus executed, by both parties; and formed the rule of intercourse, between the United States and the Cherokees, during nearly forty years, without a single act of hostility, or bad neighborhood, having been authorized by either party.

On the part of the United States, a law was enacted contemporaneously, so as to be, in effect, part of the same transaction —a law to regulate intercourse with the Indian tribes, by which heavy penalties were inflicted upon intruders, and rigorous measures were authorized to drive them from the Indian territory. This act of legislation shows, that the plan of our relations with the Indians was thoroughly understood by all departments of the government; and that a disposition was cherished, on all hands, to execute the treaties with good faith.

It has been said, that barbarians are not capable of making a treaty. But an illustrious orator, from our own State, thirty five years ago, expressed himself, on the floor of Congress, in the following manner:

"I see no exception to the respect that is paid among nations to the law of good faith. If there are cases, in this enlightened period, when it is violated, there are none when it is decried. It is the philosophy of politics, the religion of governments. It is observed by barbarians. A whiff of tobacco-smoke, or a string of beads, gives not merely binding force, but a sanctity to treaties. Even in Algiers, a truce may be bought for money; but, when ratified, even Algiers is too wise, or too just, to disown or annul its obligation. Thus we see, neither the ignorance of savages, nor the principles of an association for piracy and rapine, permit a nation to despise its engagements."

Your Memorialists, in pursuing this investigation, find a renewal of the guaranty to the Cherokees, made seven years after it was first given; and in this renewal, the guaranty is declared to be "*forever*," which was obviously the meaning, in the first instance. In the progress of numerous subsequent negotiations, the Cherokees yielded to the United States the free navigation of the rivers in the Cherokee nation; and made several specific grants of roads through their country, as the progress of white population led the Presidents of the United States to solicit these privileges.

In the last treaty between the United States and the Cherokees,—a compact, which was negotiated at Washington, eleven years ago, it is stipulated, that the provisions of the intercourse law, which was made for the protection of the Indians generally, shall be continued for the security of the Cherokees; and thus

the provisions of the intercourse law became, in fact, a part of the treaty.

By the same compact, a permanent school fund is created, the annual income of which is to be expended in diffusing the benefits of education among the Cherokee nation east of the Mississippi; that is, among the Cherokees, maintaining their national character, in their present residence. Numerous stipulations, found in all the treaties, imply the sovereignty of the Cherokee nation, except so far as that sovereignty was qualified by a voluntary acceptance of the offer of protection, and the regulation of trade, on the part of the United States. These stipulations are all perfectly intelligible and perfectly consistent with each other; and your Memorialists find nothing, which has the appearance of bringing the Cherokees under the laws of the United States, or of abandoning them to the laws of the several States. On the contrary, a national government of the Cherokees always in existence, an inviolable territory, and a perpetual guaranty, meet the eye every where, without any thing of an opposite description, either express or implied.

Your Memorialists do therefore humbly conceive, that the United States are bound to the Cherokees, by as plain and positive engagements as language is capable of expressing, to defend them in the possession of their country as a nation, and in the free exercise of their own laws and customs, till they shall voluntarily consent to change the existing relations of the parties.

Your Memorialists would further state to your honorable body, that the Cherokees, thus standing on their original and perfect title, and thus fortified by treaties, were urged by successive Presidents of the United States to betake themselves to a civilized life and to industrious habits, with the solemn assurance, hat they should remain permanently on the land of their fathers, and should find in the whites good neighbors, who would rejoice in their prosperity. They allege, that they received letters of this import from President Washington and President Jefferson; and that the agents of the United States, residing among them, invariably made similar declarations. The assertions of the President of the United States, whom they were taught to call their father, were always received by them as the decisions of the government; and doubtless the solemn assurance of the

chief magistrate of this country, made in his official character to an ignorant people not versed in diplomacy, should not be invalidated, except for the most urgent and satisfactory reasons.

Your Memorialists are aware, that the Indians are urged to remove beyond the Mississippi from a regard to their own benefit, and with a view to their future prosperity. But the question of right should be first settled. If this can be clearly ascertained, it should be firmly established. The suggestions of friendship may come afterwards. If the Cherokees have a perfect right to remain where they now are, as long as they please, and to claim the protection of the United States against encroachments from every quarter, they should be told so, in a firm and decisive tone; and the United States should honorably redeem their numerous and solemn pledges.

If the government, in a spirit of sincere kindness and friendship, should advise the Cherokees to remove, let the Cherokees weigh the advice, and decide upon it, as they think best. The question should be freely decided by them, and not by strangers.

But as this question of supposed benevolence does in fact sway the minds of some, so that they cannot fairly look at the question of right, your Memorialists feel bound to say, that they have seen no reasons, which satisfy them, that the removal of the Cherokees would be for their benefit.

If the country west of the territory of Arkansas is correctly described by Major Long, an authorized agent of the government, it is uninhabitable. Other travellers declare, that it is nearly all a boundless prairie, and destitute of running water during a part of every year. The portion which is wooded, is extremely small, and would furnish a comfortable residence for only a part of the southwestern tribes. There is reason to apprehend, therefore, that the removal of these tribes, in a body, would plunge them into a condition of great distress, and do them an irreparable injury.

If it should be admitted, that the whole country is good, and capable of high cultivation, as some of the advocates of removal assert, the land will soon become an object of much greater cupidity to the whites, than the present territory of the Cherokees ever can be. They are already retired within the mountains, at the head waters of rivers, in the most secluded spot in all the southern part of our country. If they should be confirm-

ed in their right of continued occupancy, by the highest authorities of our nation, that right will be respected by all their neighbors; and their title will be more secure, than any title which can be given them to a new country.

There is every reason to believe, that within a quarter of a century from the present day, the pressure of population upon the frontiers of any reservation of good land, near the western limits of Missouri, Arkansas, and Louisiana, will be much greater than it will be, at the same period, on the frontiers of the present Cherokee country. The cost of transportation is now less, as your Memorialists are informed, from New Orleans to the western limits of the Arkansas territory;—that is, to the borders of the new country intended for the Indians,—than it is from Augusta, Knoxville, or Nashville, to the Cherokee territory, which is the subject of the present controversy. Whenever the western prairies shall be habitable at all, they will be thronged with a more dense population, than the mountainous region near the north west corner of Georgia will ever be capable of sustaining.

The idea of removing Indians so far that they will not be followed by whites, or that good land possessed by them will not be an object of desire to whites, seems to your Memorialists too visionary to require serious attention. We believe there is no place within the territorial limits of our nation, where Indians can be protected in their possessions, unless the strong barrier of law can be interposed between them and their neighbors. It would seem impossible to assign them any place, where they will not stand in the way of the whites; and where the supposed interest of the whites would not be promoted by their removal, or their extinction. The barrier of law, already existing for the protection of the Cherokees, on the land of their fathers, can be strengthened now, more easily than a new barrier can be raised, on a new field, and under far less favorable circumstances.

Should the four southwestern tribes be removed, aud placed near each other, on land assigned them by the United States, it appears to your Memorialists, that they would be thrown into a state of anarchy, and would lose the benefit of improvements already made by some of them, in the practice of government. For several years past, the advocates of removal have urged into public notice, and repeatedly laid before Congress, a plan, which

contemplated one government for all the congregated tribes; which government was to be administered by agents, appointed for that purpose by the President of the United States. But this scheme, so long insisted on, has been suddenly abandoned; and it is now declared, that each tribe is to be left to its own laws and customs. Considering that the removal must be gradual, and that the emigrants would go with heavy hearts, distrusting the professions of the government, it would seem almost certain that they would give themselves up to despondency, and that every thing like subordination, and public spirit, would disappear. In such a state of things, improvidence, contention, idleness, intemperance, and general profligacy, must be expected.

The progress of education also, we fear, must be interrupted. The means of moral improvement could not be advantageously applied for a series of years; and the general condition of the people would be rapidly deteriorating. Some would probably remain a while, and attempt to live under the laws of the States; many would straggle away into the white settlements, and become vagabonds; and it would be natural for those, who were collected beyond the Mississippi, to become utterly dispirited, and to consider themselves deserted, betrayed, oppressed, and undone.

The suffering occasioned by a constrained removal of so many people, men, women, and children, the aged, the sick, and the poor, must be great.

Your Memorialists would by no means exaggerate the evils of the course, which has been urged upon Congress. The fears which they entertain appear to them well grounded; and they respectfully refer it to the judgment of your honorable body to decide whether they are mistaken.

In conclusion, your Memorialists do humbly intreat the National Legislature to interpose and deliver the country from all apprehension of violated faith,—to redeem the sacred pledges of our national government,—to protect the defenceless aboriginal tribes in their rights,—and to give them assurance that all public engagements with them are to be fulfilled, in the most honorable manner, according to the true intent and meaning of those engagements, and the understanding of the parties.

And to this end, your Memorialists would respectfully suggest to your honorable body, to consider the expediency of passing a declaratory act, making it the duty of the President of the Uni-

ted States to issue his proclamation reciting the principle provisions of the intercourse law, and announcing the determination of the government rigidly to enforce these provisions, as having been made in accordance with treaties, and for the protection of our dependent allies.

And your Memorialists would further suggest, that, if a removal of any tribe, or tribes, of Indians to a different territory from that, which they now inhabit, should seem to the government desirable, and likely to promote the welfare of the Indians, suitable measures be devised and adopted to ascertain all the facts in relation to the subject, which are necessary to arriving at a safe conclusion. When facts are ascertained, let the matter be proposed to the Indians; and when their consent to a removal is fairly given, and a plan for their future government is approved by Congress, your Memorialists, and their fellow citizens who think with them on this subject, will cordially acquiesce in any decision thus matured.

And your Memorialists, as in duty bound, will ever pray.

The preceding Memorial having been read, its adoption was moved by Mr. CHOATE, and seconded by Mr. SALTONSTALL. Both these gentlemen made able and conclusive speeches, in support of the perfect right of the Indians to the lands which they occupy. The Memorial was unanimously adopted; and the Chairman and Secretaries were requested to sign it in behalf of the meeting, and to forward it to Congress.

Mr. WORCESTER then moved the following Resolutions:

RESOLVED,

That the pending controversy, in regard to the rights of the Indians, is a subject which eminently calls for the expression of public opinion; and that we therefore strongly recommend to our fellow citizens, that public meetings be held, resolutions adopted, and memorials forwarded, by the friends of justice and of our national honor, in every part of the United States.

RESOLVED,

That since the Indians must look to the interposition of Congress, as the only probable way in which their rights can be defended, it is important that members of our National Legislature should be aware of the deep interest which is felt in this subject, by a very large portion of their constituents; and that

there is far more danger of apathy and indifference, when our national character for good faith and fair dealing is in question, than of too much zeal and earnestness in behalf of the hitherto unsullied honor of our country, or of too much sympathy with the weak and suffering.

The mover supported the resolutions in a short speech, the purport of which was, that if the cause of the Indians is lost, it will be lost by the indifference, the apathy, the criminal negligence of the people of the United States.

The resolutions were seconded by HENRY SHAW, Esq. of Lanesborough, who warmly approved of the manner in which the meeting had been conducted; namely, by addressing the reason and judgment, by regular legal and constitutional arguments. He also decidedly approved the assembling of the people, in orderly meetings, to consider questions of this kind.

The Committee were then directed to publish the Memorial, and to address a Circular Letter to their fellow citizens, in every part of the Commonwealth.

Every question was carried without a dissenting voice.

Both the meetings were highly respectable, on account of the number and the character of gentlemen who were present.

CIRCULAR LETTER.

FELLOW CITIZENS,

At a very respectable meeting of gentlemen from all parts of the Commonwealth, convened by public notice in the Hall of the House of Representatives of the State House in Boston, on the 21st ult., the undersigned were appointed a Committee of Correspondence; and it was made one part of their duty to address a Circular Letter, on the present relations between the United States and the Indians, to their fellow citizens in all parts of the Commonwealth.

When the foregoing Memorial was adopted, which was on the 8th inst. at a very respectable meeting, of which public notice had also been given, the same duty was again assigned to the Committee; and, in both instances, the assignment was made without a dissenting voice.

The Committee are impelled, therefore, by the instructions of the meeting, as well as by their own feelings, to address a few words to the friends of humanity and justice, in every part of the Commonwealth, on this exceedingly important subject.

The question now depending, as it is understood by multitudes of candid and intelligent men, in nearly all parts of the United States, is no less than this: *Shall the people of the United States faithfully observe the solemn treaties, which they have made with the Cherokees and other Indian nations,—according to the true intent and meaning of those engagements, and the understanding of the parties?*

You will exclaim at once, *It is impossible that there should be any doubt how this question must be answered.* We would gladly think so too; but when we call to mind, that some politicians gravely declare Indian communities *not to be nations*, and treaties with Indians *not to be binding;* and that other politicians insist on *expediency*, as the only proper rule of public morality, so far as Indians are concerned; when we find some writers and speakers refuse to look at public engagements with the Indians, but plead the right of releasing themselves from these engagements, on the ground that Indians are poor, and weak, and degraded, and rapidly tending to extinction; when we observe, that the most authentic facts, respecting the present improved condition of the Cherokees and Choctaws, are utterly disregarded, by nearly all those, who urge their removal; and that the imagined interest of several States is constantly and powerfully at work to devise the means of acquiring the lands of the Indians;—and when we advert to the fact, that the President of the United States, and the Secretary of War, have repeatedly declared to the Cherokees, Creeks, and Choctaws, that these tribes cannot be protected against the laws of Georgia, Alabama, and Mississippi, although it is perfectly obvious, from the treaties themselves, and the construction which has been given them, ever since the year 1785, that one principal object of all the treaties was the protection of the Indians from all intrusion of whites, either for purposes of settlement, or jurisdiction: When we see all these things, and remember that, in the language of Mr. Wilberforce, "Self-interest is an overmatch for benevolence," we cannot but feel greatly concerned, lest the character of our country should receive a deep and lasting wound, and the Cherokees and other tribes should experience great injustice.

There has never been an occasion, since the Declaration of Independence, on which it more became the People of the United States to speak their minds, than on the present. Every citizen, who is capable of feeling any thing, must feel deeply for the honor of his country; every citizen ought, therefore, to become sufficiently acquainted with the merits of this question, to express his opinion upon it.

Yet there is danger that the voice of the public will not be raised to such a note of earnestness and remonstrance, as to arrest the present course of events. Certainly no one should presume that this will be done, unless men of character and

intelligence, in every part of our country, will spend some time and take some pains, to direct the attention of their fellow citizens to this subject.

But if the people generally should manifest a deep interest in the pending controversy, and should insist on the most scrupulous regard to good faith, and to a kind, humane, and generous, as well as just course of conduct with the Indians, it is plain that results highly beneficial may be expected.

The national conscience should be kept awake and alive to all public measures, which are to have a bearing on the reputation of the country, or on the estimation in which the cardinal virtues of truth and justice are held. In regard to no subject whatever would a general apathy be so dangerous in its consequences, and so discreditable to the people.

In accordance with the views of the meeting which we represent, permit us to suggest, that meetings should be called in the various towns of the Commonwealth, where they have not already been held, at which meetings the *Rights of the Indians* should be considered, the preceding Memorial read, and measures taken to express the opinions and feelings of the people, in a memorial to Congress, from inhabitants of each town.

It is desirable that this should be done without delay, as Congress will probably act upon the subject at the present session; and within a few weeks public-spirited efforts in behalf of the Indians may be too late.

In the preparation of Memorials it is not necessary that, generally speaking, documents of this kind should be long. In New York, Philadelphia, Hartford, and other places, Memorials have been written, which contain regular and elaborate discussions. Reference may be made to any of them, or to the one printed on the preceding pages, by petitioners in other places. We would therefore offer the following paragraphs, as the form of a short petition.

To the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the subscribers, inhabitants of the town of in the County of and Commonwealth of Massachusetts, respectfully represents:

That your Memorialists feel constrained to come before the National Legislature with an earnest request, that the public faith may be preserved inviolate, in all the transactions of the government with the Indians; that these dependent allies, some of whom have been models of good faith and good neighborhood, may be treated with kindness and generosity, as well as with justice; that no encroachment may be made upon their right of territory, or right of self-government, as guaranteed by numerous treaties; and that they may be secure in the possessions, which they derived from their ancestors, of which they are now in the peaceable enjoyment, and to the continued occupancy of which they have, in the language of the Chief Justice of the United States, "*a legal and just claim*," independently of any guaranty from the United States.

Your Memorialists would refer your honorable body, for what they deem a correct exposition of principles on this subject, to a Memorial adopted by citizens from all parts of the Commonwealth, at a public meeting held in the Representatives' Hall of the State House in Boston, on the 8th of February, 1830; and would only repeat their importunate prayer, that nothing may be done, or permitted, inconsistent with the great principles of public morality, or with a strict and conscientious regard to the obligations of good faith.

And your Memorialists, as in duty bound, will ever pray.

A short form, like the preceding, will answer every purpose, in towns where gentlemen cannot be found having sufficient leisure to go into a full and particular examination of the subject. But where such gentlemen can be found, we think that real advantage may be derived from elaborate Memorials, written without reference to each other.

In many towns, it may not be convenient, or practicable, to have a public meeting. We would recommend, in such cases, that some one, two, or three gentlemen would prepare a Memorial, sign it themselves, offer it for signature to their fellow citizens, and speedily forward it to the member of Congress of the district in which the petitioners live, with a request that he will present it to the House of Representatives. It may be well, also, that a certified copy of the Memorial, and the signatures, should be forwarded to one of the Senators of this Commonwealth, that it may be presented to the Senate.

It is proper, and according to usage, that the Memorials adopted at public meetings, should be forwarded to Congress, authenticated by the signatures of the Chairman and Secretaries; but this should by no means supersede the forwarding of Memorials from the same towns, containing the signatures of the citizens generally, in their individual capacity.

Permit us to urge the consideration, that it peculiarly becomes a free and intelligent people to express their minds on questions of public justice, and national morality. Such questions should never be confounded with party politics, nor with personal predilections or antipathies.

We are, fellow citizens, with sentiments of sincere respect,

Your obedient servants,

WILLIAM B. CALHOUN,
LEVERETT SALTONSTALL,
RUFUS CHOATE,
SAMUEL HOAR,
SAMUEL M. WORCESTER,
CHARLES G. LORING,
EDWARD REYNOLDS,
JEREMIAH EVARTS.

Boston, Feb. 22, 1830.